

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

MICHAEL J. DAVIS, ELENA LOMBARDI,  
CAROL SMITH, ANDREW WHALEN  
*and all others similarly situated,*

*Plaintiffs,*

*versus*

JPMORGAN CHASE & CO.,  
JPMORGAN CHASE BANK,  
CHASE MANHATTAN MORTGAGE  
CORPORATION,

*Defendants.*

NOTICE OF MOTION

Civil Action No.  
01-CV-6492L

MOTION BY:

Plaintiffs Michael J. Davis, Elena Lombardi, Carol Smith, Andrew Whalen, on behalf of themselves and all other employees similarly situated.

RELIEF REQUESTED:

An Order requiring expedited briefing schedule and hearing for plaintiffs' motion for notification to affected employees.

BASIS FOR RELIEF REQUESTED:

Local Rule 7.1(d)

SUPPORTING PAPERS:

Memorandum of Law in Support of Expedited Briefing Schedule and Hearing;  
Proposed Order (attached hereto)

PLACE:

United States District Court  
Western District of New York  
100 State Street  
Rochester, NY 14614

DATE AND TIME:

To be determined by the Court

REPLY PAPERS:

Pursuant to Local Rule 7.1(c), plaintiffs intend to file and serve reply papers.

Dated: April 8, 2010

**THOMAS & SOLOMON LLP**

By: s/ J. Nelson Thomas  
J. Nelson Thomas, Esq.  
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*and all others similarly situated,*

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JPMORGAN CHASE & CO.,  
JPMORGAN CHASE BANK,  
CHASE MANHATTAN MORTGAGE  
CORPORATION,

*Defendants.*

IT IS HEREBY ORDERED that upon the review of Plaintiffs' Memorandum of Law in Support of Expedited Hearing to Notify Affected Employees and Plaintiffs' Memorandum of Law in Support of Motion for Expedited Notice to Affected Employees, that plaintiffs' motion for an expedited hearing is **GRANTED**.

IT IS HEREBY FURTHER ORDERED that:

1. On or before April 15, 2010, defendants shall file and serve electronically any papers in response to Plaintiffs' Motion to Notify Affected Employees.
2. On or before April 22, 2010, plaintiffs shall file and serve electronically any reply papers in further support of Plaintiffs' Motion to Notify Affected Employees.
3. This Court will hear oral argument on Plaintiffs' Motion for Expedited Notice to Affected Employees on \_\_\_\_\_, at \_\_\_\_\_ AM/PM at the United States District Courthouse, Western District of New York 100 State Street, Rochester, NY 14614.

\_\_\_\_\_  
Honorable \_\_\_\_\_  
United States Magistrate Judge

Dated: \_\_\_\_\_, 2010